

**UNITED STATES OF AMERICA,**

**v.**

**CLAUDE DARRELL MCDOUGAL,**

Defendant.

**THIS MATTER** is before the court on defendant's Motion for Reconsideration of Sentence (#41). Out of an abundance of caution, the court will deem this Motion not to be filed pursuant to § 2255. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

In the Motion (#41), the defendant alleges that his military service was not part of the information presented to the court during the sentencing hearing or via the presentence report. The court notes that the following section is part of the presentence report (#31):

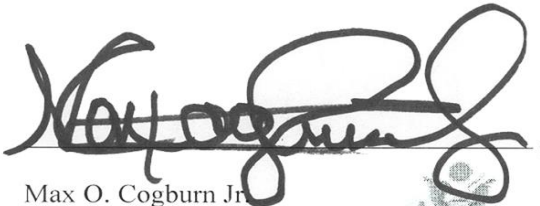
63. McDougal was enlisted in the United States Air Force from August 13, 1979 to November 12, 1984 before being honorably discharged. While enlisted, McDougal reports he received commendations as a Marksman, Honor Guard, and Good Citizen Citation.

## ORDER

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of Sentence (#41) is **DENIED**.

Signed: June 2, 2017



Max O. Cogburn Jr.  
United States District Judge